

Board of Selectmen's Meeting  
April 5, 2012

Present: First Selectman Gayle Weinstein; Selectman David Muller; Town Administrator Tom Landry; Administrative Assistant Judy DeVito; Residents and members of the press.

**Selectman Dennis Tracey joined the meeting by telephone**

**This meeting was recorded and videotaped. Copies are available in the Selectmen's office. The meetings are available online on the Town website.**

**Ms. Weinstein called the meeting to order at 7:30pm**

**Pledge of Allegiance-**

**Discussion/decision regarding a resolution authorizing the Tax Collector to sell tax liens-** Vincent Marino from Cohen & Wolf said that tax liens are put on real estate by the tax collector to secure unpaid taxes. Tax Collectors have come to the conclusion that sometimes it is easier to take unpaid tax liens and bundle them and sell them than to collect from a homeowner who is refusing to pay. The Town realizes immediately the funds that the tax lien secured and a third party can now collect. The town does not have to incur the expense associated with foreclosing on the tax liens. From the municipality standpoint the benefit is the immediate availability of the funds that the taxes are supposed to generate and it defrays the cost of litigation and collection.

Mr. Muller asked if they were sold at a discount. Mr. Marino said he had never seen them sold at a discount. They would be purchased at a premium because we are first in line and are collecting 18% interest. For an investor a tax lien serves as a good investment.

Ms. Weinstein said we are looking into this because we have several vacant properties that they have had a difficult time collecting the taxes on. They are not looking to kick people out of their homes. The majority of what they are going to be bundling and selling are vacant properties. Ms. Weinstein said she is asking for a resolution from the Board of Selectmen authorizing the change in policy.

Mr. Muller asked if the entity which purchases the liens pursue any more rigorous enforcement that the Town would. Mr. Marino said he had a conversation with a gentleman from American Tax Funding to see what the policies are that the American Tax Funding has. They do not have an aggressive procedure. What they do is they will implement a tax foreclosure and often times they will work out payment plans with the tax payer. They are looking at it from an investment standpoint that they are getting 18%. If they do not get their taxes collected prior to the next grand list, they may then reach back to the Town to seek to purchase that future tax grand list so that there is not a conflict when that future grand list goes unpaid. Mr. Muller said he wouldn't want to sell this and realize the proceeds now, and what was occurring was an extremely strident enforcement policy whereas with the town there is more flexibility.

Mr. Marino said that is a concern that is raised a lot. The Town of Newtown, who is one of their clients, has been engaged in this type of practice for several years. The Tax

Collector there is quite satisfied with the process and she has seen from a process standpoint no major issues raised during the four or five year period that they have been doing it. Ms. Weinstein said we are not looking to do this with the people that the Tax Collector works with and have worked out payment plans. We are looking to do this with the vacant lots that are five or six years behind in collecting taxes from.

Mr. Tracey asked if all the properties were vacant. Ms. Weinstein said that she believed they were all vacant but there may be one home that has a resident in it and there are extenuating circumstance that she was not comfortable explaining in public but the tax collector could go into detail with him.

Mr. Tracey asked when the purchaser of the liens take legal action on the properties do they take it in the name of the Town or their own name. Mr. Marino said if the third party prosecutes the case through foreclosure, title would vest in the foreclosing party so it would be in the third parties name.

If there is an affirmative resolution from the Board of Selectmen he would work with the Tax Collector to put together a package to present to either a specific company or they can put out a bid process. Mr. Tracey asked who would be making the decision as to whether the lien is sold or not sold and at what price. Ms. Weinstein said the Tax Collector.

Mr. Tracey asked if there was any recourse against the Town after the liens are sold if they can't be collected or if the property is sold for less than the outstanding taxes. Mr. Marino said no, once the Town sold the liens to the third party purchaser the third party purchaser would either realize a profit by virtue of the interest or a loss by virtue of a sale. It is an investment for the third party purchaser.

Mr. Muller moved to approve a resolution to authorize the Weston Tax Collector to assign real estate tax liens. Mr. Tracey seconded and the motion passed unanimously.

**Discussion/decision regarding community ideas for the Lachat property-**Amy Kalafa and Ellen McCormick talked about the proposal they submitted "Weston Town Farm & Sustainability Center". Amy said their vision for the farm in addition to rehabilitating the farmhouse is using the level piece of land and the lower part could be fenced in about 2 to 2 ½ acres and have a community garden. They could have a production garden and the food could go to the food pantry, the school etc. The Garden Club has expressed interest in landscaping around the front of the fence and doing some native planting or pick your own blueberries. They have talked about restoring the apple orchard and vineyards have been suggested. There has also been talk about a dog park.

Ms. Weinstein said she had asked our animal control officer, Mark Harper, to give some input about dog parks. Mr. Harper said, speaking as a citizen, that he thought that the deal was that Town was going to strictly stick by what was put in the original deed as to the uses of the property. Mr. Tracey said that was absolutely correct. Mr. Harper said he did not have a problem with the farming idea as long as the obstruction of the view from the

west side of the barn up the valley did not look unattractive with a big fence sticking up. Ms. Weinstein said that is where a master plan would have to come in.

Mr. Harper said he loves dogs but based on Westport's experience and what's going on currently in Troutbrook Valley, he is not in favor of that being open to dogs at all even on leashes. Dogs carry a dozen different diseases in their feces that can then be passed on to humans and other animals that frequent that area. Also the liability that we might open ourselves up to because of dog verses dog fights, people get in the middle and then they get bite. Mr. Harper said he is not in favor of the Lachat property being open as a Dog Park.

Ms. Weinstein said that she agreed with the comment that Mr. Harper made as a citizen, which was the fact that we had agreed that we would honor the deed with Mr. Lachat. Farming, educational uses are good but she would be hesitant to go beyond that. Mr. Tracey said he wanted to thank Mark and defer to Mark's judgment on this and he appreciates his comments. Ms. Baldwin said that she thinks it would be only fair to have the discussion when the two ladies that brought up the dog park were at the meeting.

Ms. McCormick said that they have gathered some real experts in organic farming and also the Green Village Initiative who has pledged \$75,000 toward the farming venture. Ms. Weinstein said we are most appreciative of their pledge but she also knows that GVI is not looking to get involved in the management of this. The proposal that they have brought to us says "Friends of Lachat/ Green Village Initiative" so if we were to give this to an outside organization rather than Town agency to run, would it actually be Friends of Lachat with a Green Village Sponsorship? Amy said they would have a single entity and Friend of Lachat are close to getting a 501c3 so it will be a nonprofit with legal status and the majority of people on that committee would be from Weston.

Carol Baldwin said she spoke with Bob Hatch the architect who is helping on the project and is a specialist in historic restoration and he suggested that the foundation and the south wall that is caving in would be a priority. The wooden post in the basement needs some work and we need to replace some of the newer ones with lolly columns. This is just to stabilize the basement, the foundation and the house. The cost for that he estimated would be between \$29,000 and \$37,000. "Friends of Lachat" have raised that amount and have that available to them. The cost for a structural engineer is covered by the planning grant that they got from the Connecticut Trust for Historic Preservation. Bob Hatch's fees would also be covered.

Mr. Tracey said he thought that this was an appropriate way to start however we need to make a decision about who is going to be responsible for the project management and whose going to be responsible for approving the contracts and the plans. Whether it is going to be normal town procedure or whether it is going to be different. He thinks the Town needs to approve all renovations that occur on any buildings on the property and needs to review all plans and have a roll in all of the project management. Ms. Weinstein said she agreed and asked if he was comfortable with having the Town Administrator and the First Selectman look at that, or the Board of Selectmen. Mr. Tracey said the Board of

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Selectmen should approve the overall mission but the First Selectmen and Town Administrator should be designated as the managers to take it forward. Mr. Muller agreed.

Ms. Weinstein said she, Mr. Landry, Ms. Baldwin and Mr. Hatch would meet and report back to the Board at the next Board of Selectmen's meeting.

Mr. Harper said that the fields should be mowed and then we should have a controlled burn. This would start the process of getting rid of the weeds and bring it back to the way the field use to be. Once the mowing is done she will talk to John Pokorny about a controlled burn.

**Discussion/decision regarding "next steps" for the Lachat property-** Ms. Weinstein said we need to decide if we it should be a Town committee that creates the master plan for the property or whether we want to lease the property in its entirety to an outside organization. Mr. Muller felt it should be a Town Committee because he did not want to lose the control over the grand design at this point in the process. Mr. Tracey said he agreed and he looks forward to the involvement of the "Friends of Lachat" because they have done a great job and the have a very prominent place in what we do with this property going forward. He feels that leasing the property to a third party is not appropriate right now. He thinks we should appoint a select committee to develop a master plan and maybe in the future part of the property would be leased to a third party but the Town should have that plan before moving forward with that.

Ms. Weinstein said we will set-up a Select Committee for the Lachat property. Mr. Harper said after the fields are mowed, he would like the Selectmen to schedule a hike so that people can look at the property and see how wonderful it is. He said he thought it would be beneficial in the fund raising activities and getting the Town involved. Ms. Weinstein agreed.

After some discussion it was decided that the committee would be seven members. We will have more discussion and a mission statement at the next Board of Selectmen's meeting.

Mr. Muller moved to form a Select Committee to work on a master plan for the Lachat property to be comprised of seven members with a term limit to be decided at the next meeting. Mr. Tracey seconded and the motion passed unanimously.

**Discussion regarding the ATBM-** Ms. Weinstein said things moved very quickly at the meeting. They were able to reduce the general administration budget by approximately \$93,000 through reduced health insurance costs which brought the Town Operating Budget down to a 1.17% increase. Board of Assessment Appeals did a great job and we were able to increase the predicted grand list growth to .73% which brings the mill rate impact an increase of 0.4%. We had a meeting with Moody's about refinancing some of the debt and once we get the pricing we should be able to reduce it a couple cents further.

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Mr. Muller said he was dismayed and disappointed by the poor attendance. He said the Town Meeting is a long tradition and he would be loath to do away with it.

Mr. Tracey said as part of the Charter Revision proposal the conclusion that they reached and the objective was to maintain as much public participation as possible in the budget process. The way they believe that they can maximize that involvement is by empowering the ATBM to be able to make changes to the budget if there is a sufficient quorum while at the same time, allowing everyone to participate in a referendum so that both involve input from the public. He believes that one of the reason that we had low attendance this year is because the proposal did not draw significant objections from a large part of the population. He said that will happen from time to time and we can consider that a positive to some extent.

**Request for property tax refunds**

<b>Wells Fargo Home Mortgage</b>	<b>\$5,423.61</b>
<b>Mercedes-Benz Financial</b>	<b>\$1,298.27</b>
<b>Toyota Financial Services</b>	<b><u>\$47.66</u></b>
<b>Total</b>	<b><u>\$6,769.54</u></b>

Mr. Muller moved to refund property taxes in the amount of \$6,769.54 as listed on April 5, 2012 Board of Selectmen's agenda. Mr. Tracey seconded and the motion passed unanimously.

**Open Items**

**Updates**

**Grants- Gayle Weinstein-** We are going to get 75% FEMA reimbursement for the first storm.

**Emergency Preparedness-** The Volunteer Coalition has over 120 block captains. All the information is on our website and letters are going out to the block captains with the procedures.

**Regionalization-** Ms. Weinstein met this week with Fire Chief Pokorny, Police Chief Troxell and The President of EMS Jon Weingarten to discuss regionalization. They will continue meeting to figure out the best fit for all of our emergency services going forward.

**Legislative update-** The testimony that Ms. Weinstein and Mr. Landry submitted regarding the percentage of employer employee contribution for MERS made it out of committee and is scheduled to go to the house for vote.

The zoning enforcement legislation which would delete the paragraph which makes him liable for treble damages is scheduled for a vote on the senate floor.

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**Discussion/approval of the Special Board of Selectmen's meeting minutes of March 15, and March 23, 2012.** Mr. Muller moved to approve the Special Board of Selectmen's meeting minutes from March 15, and March 23, 2012. Mr. Tracey seconded and the motion passed unanimously.

At 8:30pm Mr. Muller moved to adjourn the meeting. Mr. Tracey seconded and the motion passed unanimously.

Respectfully submitted

Judy M. DeVito  
Administrative Assistant  
Approved 4/24/12